

FILED

NOV 20 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

#1.

11-17-07

1:07-4276-CW

Honorable Judge Claudia Wilken,

Happy Holidays, and I wish you Godspeed for 2008. I would like to remind the court that all of my "due process" and "equal protection" rights were broken by the defendants, it's like "due-process" was a joke, if you will... These individuals were using the famous/legendary "good-ole-boy" system of the deep south, my heritage. My parents were from Louisiana. By the grace of God I once drove "over-the-road" 18 wheelers, I have extensive education, love books, 23 years of Bible study, love Walnut Creek also, and P.F. These individuals will again hurt or kill someone if something isn't done.

#2.

They're out of control. I had just returned from S. L. C. Utah July 8th, 07, where I live, and encountered these defendants early Sunday morning 7-15-07. I live in Utah for the last 4 years, since moving from Walnut Creek, Ca. temporarily.

SECTION 1983 LAW:

"Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory, or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States, or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured

#3. in an action at law, suit in equity, or other proper proceeding for redress..."

I, like yourself your honor, am well seasoned at age 51, "blessed", I call it. I can discern if a fine-line was breached, if you will.

Section 1983 applies to the "deprivation of any rights, privileges, or immunities, secured by the Constitution and laws".

The defendants thought of my federal rights as a joke! I would even go as far as to say the "R" word, racism... A blatant disregard for my rights, "under color-of-state-law"...

I love my city, the place my parents chose to raise their children 50 years ago, but it's become like Babylon, or Sodom and Gammorah of Scriptures, even peace officers are corrupt.

#4.

I have 82¢ in my account here,
any I haven't requested money
from outsiders to send me,

I work as a "telemarketer" in
Salt Lake City when I am
there, so pride will not let me
request money from family...

I believe in work, I come
from good stock, people from
the deep-south, born in Texas.

These corrupt defendants tried
to paint me as a drug dealer,
had been here 7 days, just
arrived from S.L.C., UT., had my
greyhound ticket in my pocket.

The defendants are "appalling"!!

They assumed I was part of
the madness in the downtown
area — "NOT"!!

Sincerely

Walter Redmond

11-17-07

PLEASE RETAIN THIS IN MY FILE!

BAY AREA

Firing of cop for beating man, lying is upheld

By Associated Press

STATE APPEALS COURT

Criminal Justice Writer

A state appeals court has upheld the firing of a veteran police officer in the Contra Costa County criminal justice system.

Nadarisy, who spent 17 years with the department, was fired after he punched a man in the face, fracturing his eye socket, and then fabricated criminal charges against his victim.

In a ruling Wednesday, the First District Court of Appeal in San Francisco upheld the conclusions of an outside investigator, an arbitrator and a Superior Court judge

that Officer Alfredo Nadarisy had lied by claiming that his victim attacked him.

Nadarisy, who spent 17 years with the department, was fired after he punched a man in the face, fracturing his eye socket, and then fabricated criminal charges against his victim.

In a ruling Wednesday, the First District Court of Appeal in San Francisco upheld the conclusions of an outside investigator, an arbitrator and a Superior Court judge

the court said.

According to Nadarisy, Titus was sitting on a chair, grabbed at the officer's radio. Nadarisy said he caught the man's hand, Titus then punched him in the groin, and both fell to the floor, with Titus hitting his head on the side of a cabinet. But Titus said Nadarisy punched him in the right eye without warning, sending him sprawling.

Titus suffered a fractured eye socket and cuts to his face. Based on Nadarisy's report, Titus was charged with two felonies for attacking the officer, and spent

two days in jail before being freed on bail. But after Titus filed a complaint of excessive force and said he and his wife had passed lie-detector tests, Police Chief Michael Tye ordered an independent investigation. Based on its findings, the charges were dropped and Titus settled a suit against the department for \$45,000.

Nadarisy was placed on leave in January 2002 and was fired 10 months later, after an arbitrator held a five-day hearing and concluded Titus was telling the truth and Nadarisy was lying. The arbitrator

said the officer's account was undermined by photographs of the scene, his partner's testimony, and previous episodes of dishonesty, including a 1996 suspension for filing a false report.

Upholding a May 2000 ruling by a Contra Costa County judge, the appeals court said there was substantial evidence to support the firing. The court also rejected Nadarisy's argument that the city should be bound by the position initially took in response to Titus' civil suit, when it defended the officer's actions. It would be unfair to make sure that happen again, he said. "The steps we took to discipline and correct behavior and We didn't rush to judgment."

Nadarisy's lawyer, Alison Bettrick, said the ruling would be an appeal to the state Supreme Court. Nadarisy said he can't say whether he will seek reinstatement. He said he was disappointed in the ruling. "We didn't rush to judgment," he said. "The steps we took to discipline and correct behavior and We didn't rush to judgment."

By Associated Press
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